



माहितीचा
अधिकार

महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



एक कदम स्वच्छता की ओर

Dt. 08.12.2022

MERC/ADM/RTI/085/2022/0630

To,
M/S Shuzlan Energy Pvt. Ltd.,
348/349, B Wing, Orchard Mall,
Royal Palms, Aarey Colony,
Goregaon, Mumbai – 400065.

Subject : Your application dated 22.11.2022 submitted under RTI Act 2005.

The office of the Commission is in receipt of your application dated 23.11.2022 under section 6 (1) RTI Act 2005 seeking information by the PIO. Applicant has sought the information as under:-

No	Information Sought	Information Provide
1	Does any company requires permission from MERC as stated by M/s Adani Electricity to install EV chargers in customer premises (Economic Times news dated).	Information asked in question format. The Act does not permit raising imaginary questions and expecting the PIO to find answers for them.
2	How many companies have been given such permission till date?	A Public Information Officer (PIO) is not expected to provide intangible such as interpretations, opinions, advices, explanations, reasons as they cannot be said to be included in the definition of information in Section 2(f) of the RTI Act, 2005.
3	If such permission is required what is the procedure?	

According to section 2(f) of the Act 'Information' means 'any material in any form'. Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 11/2/2008-IR dated 10th July, 2008. Careful reading of the definition of 'Information' and 'right to information' makes it clear that a citizen has a right to get the material, inspect the material, take notes form the material, take extracts or certified copies of the material, take samples of the material, take the material in the form of diskettes etc. The PIO is required to supply such material to the citizen who seeks it. The Act, however, does not require the PIO to deduce some conclusion from the 'material' and supply the 'conclusion' so deduced to the applicant. The PIO is required to supply the 'material, in form as held by the public authority and is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him.

Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 1/7/2009-IR dated 1st June, 2009. Information cannot include within its fold answers to the question "Why" which would be same thing as asking the reason for a justification for a particular thing. The PIO cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification are matter within the domain of adjudication authorities and cannot properly be classified as information." This is not come under RTI.

१३वा मजला, केंद्र क्र. १, जागतिक व्यापार केंद्र, कफ परेड, मुंबई - ४०० ००५.

13th Floor, Centre No. 1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

Tel.: 022-2216 3964 / 2216 3965 / 2216 3969 Fax : 022-2216 3976

E-mail : mercindia@merc.gov.in Website : www.merc.gov.in

Shri Anil Kumar Ukey, Director (Legal) In-charge is the first Appellate Authority for the purpose of Appeal under Sub- Section (1) of section 19 of the Right Information Act, 2005. Address: Maharashtra Electricity Regulatory Commission, World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai – 400005 Tel. No. 022-22163964/65/69. Email: anilkumar.ukey@merc.gov.in.

Yours faithfully,



(Arun Walunj)

Public Information Officer & Under Secretary